

Thomas-Jensen Affirmation

Exhibit # 113

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

STATE OF NEW YORK, *et al.*,

Plaintiffs,

v.

DONALD TRUMP, *et al.*,

Defendants.

Civil Action No. 1:25-cv-00039-JJM

**DECLARATION OF HEATHER
BARTLETT**

Declaration of Heather Bartlett

I, Heather Bartlett, hereby declare:

1. I am over the age of 18, competent to testify as to the matters herein, and make this declaration based on my personal knowledge.

2. I am the Deputy Director of the Washington State Department of Ecology (Ecology), a position I have held for 5 years. Prior to my current position I led Ecology's Water Quality Program as Program Manager for 6 years. I have over 30 years of working in the public sector in natural resource management and environmental protection. I have a Bachelor of Science degree with a focus in genetics from Washington State University.

3. As Deputy Director of Ecology, I assist in overseeing management of all the agency's activities and various programs, as well as day-to-day operations. I attend regular meetings with Ecology's senior leadership and receive frequent briefings on the status of Ecology programs and initiatives, emerging issues, and potential problems. I also frequently engage with our various stakeholders, the regulated community, and communities impacted by Ecology's work.

4. I have been directly involved in issues related to Ecology's inability to receive disbursements of certain federal funds since the issuance of several executive orders signed by President Donald Trump after he assumed office on January 20, 2025.

The Washington State Department of Ecology

5. Ecology is the Washington administrative agency tasked with implementing and enforcing the majority of Washington's environmental laws and regulations, including, among others, delegated authority or authorization under the federal Clean Air Act, the Clean Water Act, and the Resource Conservation and Recovery Act.

6. Ecology has worked to protect, preserve and enhance Washington's land, air, water, and climate for current and future generations since 1970. A cornerstone of this mission is to ensure that Ecology delivers cleaner land, air, and water to every community in Washington. Identifying and addressing disparities and inequities in pollution and environmental burdens is critical to its success. While Ecology's environmental protection work involves developing regulations, providing technical assistance, ensuring compliance with regulations, and engaging in enforcement, as necessary, the work also involves identifying and investing in infrastructure, environmental projects, and programs that will improve the environment and protect public health. In that regard, Ecology is a conduit for vast amounts of funds that benefit the environment, with billions of dollars going to Tribes, local governments, community groups, and businesses.

7. The following environmental programs support carrying out Ecology's mission: Air Quality; Climate Pollution Reduction; Environmental Assessment; Hazardous Waste and Toxics Reduction; Nuclear Waste; Shorelands and Environmental Assistance; Solid Waste Management; Spill Prevention, Preparedness, and Response; Toxics Cleanup; Water Quality; and Water Resources.

8. Ecology's Climate Pollution Reduction Program has become a national leader in reducing greenhouse gas emissions. This Program also implements Washington's Climate Commitment Act (CCA) through a market-based program to reduce carbon pollution and achieve the greenhouse gas limits set in state law. The Program reduces greenhouse gas emissions from the state's largest emitting sources and allows businesses to find the most efficient path to lower carbon emissions. The Air Quality Program similarly works to protect, preserve, and enhance air quality in Washington for current and future generations. Ecology is delegated authority by the

Environmental Protection Agency (EPA) to implement the Clean Air Act (CAA) in Washington state.

9. Through its Water Quality program, Ecology has implemented some of the strongest standards in the nation to clean up water, protect people and the beneficial uses for the state's waters, including restoring salmon runs. The Program manages hundreds of millions of dollars in capital funds, 99.5 percent of which is passed through to local governments, tribes, and non-profits for infrastructure and land-based projects that benefit water quality. The Water Quality Program implements the Clean Water Act (CWA) based on its delegated authority from EPA, and the Washington Water Pollution Control Act authorized under state law.

10. Ecology's Shorelands and Environmental Assistance Program administers state and federal grants to improve and protect the state's land, air, and water. From ocean beaches to the banks of streams, this Program provides guidance for best management, technical assistance, and regulates land use along state shorelines. This Program also provides technical assistance and regulates wetlands protected by the Washington Water Pollution Control Act.

11. Ecology's Hazardous Waste and Toxics Reduction Program works to safely manage and reduce hazardous waste in Washington. The Program is authorized by the EPA to implement the Resource Conservation and Recovery Act (RCRA) via the state equivalent statute, the Hazardous Waste Management Act (HWMA). The Program also implements toxics reduction work by offering technical assistance to businesses to reduce or eliminate their use of hazardous chemicals through identification of safer chemical alternatives, supporting the development of green chemistry, and testing consumer products for toxic chemicals.

12. The Toxics Cleanup Program implements the Model Toxics Control Act (MTCA) to cleanup hazardous substances released in soils and groundwater throughout the state of Washington. The purpose of MTCA is to eliminate the ongoing threat to human health and the environment by ensuring the cleanup of hazardous waste sites. It is administered alongside the federal version of the statute, the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

Ecology Grants and Grant Programs

13. The Department of Ecology administers grant funds to a myriad of programs and serves to pass-through over \$150 million in federal funding through the Inflation Reduction Act (IRA) and the Infrastructure and Investment and Job Act (IIJA). The federal funding is sourced from multiple federal agencies. However, EPA's contribution constitutes the majority of this sum: \$100,523,676 of funds crucial to programs impacting all of Washington.

14. Ecology receives funding from the EPA as a result of federal bills, including the IRA and the IIJA. Ecology uses state funds to match portions of federal funding for specific grants as required. The federal funding is dispensed both to Ecology in its regulatory and programmatic capacity for an array of programs and is also administered through "pass-through" funding dispensed directly to local governments, tribes, and communities for administration of relevant programs.

15. At least 20 programs are administered through funding from the IIJA and IRA. Those programs include projects associated with water quality, toxics cleanup, hazardous waste and toxics reduction, air quality, shoreline protection and restoration, and solid waste management.

16. I outline below five Ecology program grants: the Revolving Fund and Clean Water Emerging Contaminants Grants; Climate Resilient Riparian Systems Grant; Toxics Reductions Grant; State & Tribal Response Program Grant; and Clean Heavy-Duty Vehicles Grant. While far from the only grants impacted by the funding freeze, these five grants illustrate the impacts to Ecology programs. Nearly one hundred percent of the funding for these grants are passed through to communities throughout the state.

Revolving Fund – Clean Water Emerging Contaminants Grants

17. The Clean Water State Revolving Fund provides low-interest and forgivable principal loan funding for wastewater treatment construction projects, eligible nonpoint source pollution control projects, and eligible "green" projects throughout the state. This Revolving Fund is funded in part from the IIJA and administered under the Clean Water Act. It is also funded

through annual EPA capitalization grants, state matching funds, and principal and interest repayments on past loans from the Fund. Ecology develops a water quality funding offer list and intended use plan each fiscal year. The list reflects the state's most important infrastructure and activities for managing water pollution and protecting and improving water quality and public health. Projects include funding packages that assist small financially disadvantaged communities with the repair and update of their clean water infrastructure to protect both water quality and public health within their respective community.

18. Each year, Ecology uses a single application process to award funding from multiple sources, such as the Revolving Fund, through a competitive ranking process. Projects are scored and ranked based on how much they will benefit water quality and how ready the project is to move forward.

19. One of the grants funded through the Revolving Fund is the Emerging Contaminants Grant program, a grant of \$9,022,000, which address emerging contaminants, including perfluoroalkyl and polyfluoroalkyl substances (PFAS) in wastewater, stormwater, and nonpoint source pollution concerns in water quality. Addressing PFAS is critical. PFAS are associated with a range of harmful health effects, including various cancers, liver disease and damage, human development issues such as low birth weight, hormonal changes, weakened immune function, diabetes, and fertility issues.¹ PFAS are detectable in the blood of nearly all people in the United States.²

20. The Emerging Contaminants Grant also funds two projects addressing the reduction of toxic chemicals in stormwater that would otherwise reach urban salmon-bearing streams causing high salmon mortality and adverse human health impacts. Part of this grant funds

¹ See Katie Pelch et al., *PFAS-Tox Database* (last visited December 29, 2024), <https://pfastoxdatabase.org/> ("Health Outcomes" tab); see also NJDEP, Drinking Water Quality Institute, *Review of Interim USEPA Health Advisories for PFOA and PFOS and Other Relevant Information* (last updated June 12, 2023), <https://www.nj.gov/dep/watersupply/pdf/dwqi-health-effects-pfas-report.pdf>.

² Agency for Toxic Substances and Disease Registry, *PFAS in the U.S. Population*, <https://www.atsdr.cdc.gov/pfas/health-effects/us-population.html>; NJDEP, Sandra Goodrow and Gloria B. Post, *Per- and Polyfluoroalkyl Substances (PFAS) in Drinking Water* (August 16, 2021), <https://dep.nj.gov/wp-content/uploads/dsr/private-well-consortium-pfas-2021.pdf>.

installation of bio retention cells in a critical urban watershed (Seattle's Thornton Creek Basin). This project will improve water quality in Thornton Creek through installation of natural drainage systems (bioretention cells) within the Basin—a salmon-bearing urban creek with degraded water quality. This project will remove pollutants from stormwater before it reaches Thornton Creek. When the project is complete, the roadside bio-retention systems will provide treatment for total suspended solids (TSS), oil (total petroleum hydrocarbons), dissolved copper, dissolved zinc, and total phosphorus. According to best available science, these the bioretention cells also have a high probability of treating emerging contaminants such as 6PPD-Quinone, as well as legacy contaminants such as polychlorinated biphenyls (PCBs). This project will also provide a reduction in peak flows to Thornton Creek by increasing stormwater infiltration, resulting in reduced street flooding, improved traffic calming, new street trees, and increased landscaping.

Climate Resilient Riparian Systems Grant

21. EPA awarded Ecology the Climate Resilient Riparian Systems grant, issued from IJA monies, for a total federal contribution of \$30,000,000. Healthy riparian systems, the habitat areas along rivers and streams, are critical to addressing existing water quality impairments such as temperature, that can limit salmon recovery efforts throughout this region. The grant funds resiliency projects for riparian systems to improve water quality and facilitate recovery of salmon populations in the Puget Sound Basin. The bulk of the funding is passed to local project sponsors and landowners for voluntarily protection and restoration of riparian habitat in priority areas. The funding also goes to address underlying workforce and supply chain challenges facing local restoration groups. Grant funds support both the establishment of new, and the scaling up of existing, riparian programs in priority watersheds. Funding is to be used for planning and outreach; riparian maintenance and invasive species work; incentives to landowners in exchange for plantings; native plant procurement and nursery support; establishment of new riparian areas; and the protection of existing riparian areas under threat of development.

Toxics Reduction Grant for the Columbia River Basin

22. The Toxics Reduction Grant for the Columbia River Basin was funded via the IJA

for a total of \$6,909,000. The funding expands on more than 20 years of work by EPA's collaborative Columbia River Basin Restoration working group and implements actions that increase public understanding and political commitment to toxics reduction in the Columbia River Basin. The funds support Ecology in building a comprehensive toxics reduction strategy that will reduce impact of toxics on fish and wildlife and meet water quality standards. The Columbia River Basin is one of North America's largest watersheds, spanning nearly 260,000 square miles. It includes parts of British Columbia, Canada, and seven U.S. states, including significant portions of Idaho, Montana, Oregon, and Washington. The Basin provides vital environmental, economic, cultural, and social benefits to millions of people in the Pacific Northwest, including tribal, recreational, and commercial fisheries; agriculture; forestry; recreation; irrigation and domestic water use, as well as electric power generation. Human activities in the Basin have contributed to impaired water quality that can affect people's health and threaten fish and wildlife species survival. Tribal fish consumers, subsistence fishers, and other high fish consumers are more exposed to toxic contaminants in fish and wildlife and can suffer increased health risks, making toxic contamination in the Basin a significant public health issue.

23. Ecology leads a group of state agencies and communities to develop priorities and implement toxics reduction activities in the Columbia River Basin. This work aims to improve conditions and reduce toxics exposure for high fish-consuming populations and will complement and enhance ongoing restoration efforts across the Basin. This will also result in increased interaction and public engagement with overburdened and underserved communities, including Native American populations. The result will be increased collaboration with community partners that will have positive, lasting impacts on the environment and public health. Additionally, Ecology provides technical assistance and funding through a subaward program that supports our partners, including Tribes, in immediate toxics reduction activities in the Basin.

24. The project also provides for the following activities: (1) a subaward grant program, which administers \$3 million dollars in a competitive grant program for toxics reduction efforts in the Columbia River Basin. This includes toxics reduction strategic planning development of toxics

inventories, technical assistance to municipalities, Tribes, and nonprofits via water quality technical assistance, quality assurance project plan development and review, project scoping, training, sampling data analysis, mentoring, and other assistance that supports the development and implementation of toxics reduction strategies across the basin.

State and Tribal Response Program Grant

25. The State and Tribal Response Program Grant was funded through the IIJA and provides \$5 million in supplemental funds to local governments, non-profits, and Tribal entities for cleanup of contaminated properties where the grantees are not the source of the contamination. This supplements funding for the cleanup of “brownfields,” i.e., abandoned or underutilized properties that may have environmental contamination and that suffer from negative perceptions, and potential environmental liability. As a result, these properties hamper community redevelopment while remaining an environmental and human health threat. Through the fund, Ecology provides resources and technical assistance to local governments, Tribes, non-profits, and other community groups to investigate potential contamination and establish a path to redevelop brownfield sites for more productive use. Resources include funding, technical assistance, guidance, and support through the reuse planning, environmental assessment, and cleanup of the contamination.

26. Work via the State and Tribal Response Program facilitates cleanup activities across under resourced areas in the state of Washington, including: digitizing former orchard lands contaminated with lead and arsenic in the Eastern portion of the State, developing a method of evaluating PFAS in sediment, researching additional types of affordable housing development to include in the affordable housing cleanup grant program, and researching a mechanism for a local government to implement a clean soil bank to support development on former orchard lands.

Clean Heavy-Duty Vehicle Grant

27. Ecology received \$3,890,000 via the Inflation Reduction Act to administer the Clean Heavy-Duty Vehicle funding. This funding helps school districts across the state replace diesel school buses with zero emission school buses. Four school districts across the State of

Washington have been chosen to receive the funding to replace thirteen total school buses.

Disruptions to Federal Funding

Federal Funding Freeze

28. Since taking office, the Trump Administration has issued several executive orders and directives intended to freeze funds appropriated by the IRA and IIJA.

29. On January 20, 2025, the Administration issued two executive orders directing, among other things, that federal agencies to pause disbursement of IRA and IIJA funds related to clean energy or diversity, equity, and inclusion initiatives.

30. On January 27, 2025, the Administration issued a broad memorandum, OMB Memorandum M-25-13 (M-25-13), directing agencies to pause all disbursement of IRA and IIJA funds until consistency with various executive orders could be evaluated.

31. That same day, EPA's Office of the Chief Financial Officer issued a similar memorandum implementing the OMB memorandum. The memorandum directed EPA to pause unobligated funds appropriated under the IRA and IIJA; pause disbursements for unliquidated obligations funded by any accounting line including such funds; and halt all related agency actions, including drawdowns of such funds.

32. A coalition of 24 states, as well as a non-governmental organization, challenged M-25-13 in two separate lawsuits. This action was one of them.

33. On January 29, 2025, OMB issued a follow-up memorandum purporting to rescind M-25-13. Simultaneously, however, White House Press Secretary Karoline Leavitt explained that the memorandum was rescinded "to end any confusion" but stated that the EOs "remain in full force and effect and will be rigorously implemented by all agencies and departments."

34. This Court issued a temporary restraining order (TRO) on January 31, 2025, enjoining Defendants from pausing, freezing, impeding, blocking, canceling, terminating, or otherwise impeding access to awards and obligations to provide federal financial assistance to the Plaintiff States, "except on the basis of the applicable authorizing statutes, regulations, and terms."

35. Rescission and restraining order notwithstanding, the Administration's actions led

to immediate disruption and harm. At the time the EOs and memoranda were issued, Ecology had been awarded \$181 million in grants under the IRA and IJA. At the time, only about \$162 million of the money had been disbursed. Thus, nearly \$19 million of undisbursed money was immediately at risk.

36. Of the nearly \$162 million that had been disbursed, approximately \$50 million was already spent. On January 29, 2025, after M-25-13 was issued, the remaining \$112 million in grants under the IJA and IRA were also frozen, and Ecology was unable to draw down on these funding sources. Ecology, thus, prepared to inform programs, sub-awardees, and contractors that they needed to pause work and spending on these grants until the funds were unfrozen.

37. After the Administration purported to rescind M-25-13, nine grants administered by the National Oceanographic and Atmospheric Administration were unfrozen. Ecology regained access to funds that were already disbursed.

38. Yet, on January 30, 2025, after the Administration's supposed rescission, grants administered by EPA remained frozen. The memorandum issued by EPA's CFO also remained in effect. A financial specialist from EPA informed Ecology that the continuing freeze was a result of OMB's actions and the recent executive order(s). There was no indication of when the restriction would be lifted.

39. On the morning of February 3, 2025, after this Court issued a TRO and copies of the TRO were distributed to EPA, Ecology grants administered by EPA remained frozen. In the system Ecology uses to track its grant awards, the reason for the suspension was listed as "Per Executive Order." In other words, despite the Administration supposedly backtracking on its attempts to freeze federal funds *and* despite this Court's direct order, EPA continued to freeze funds that were appropriated to Ecology under the IRA and IJA.

40. The amount of disrupted funds included over \$35 million in unspent funds and over \$18 million in undisbursed funds: nearly \$53 million in all.

41. Despite the TRO, the situation remains the same, albeit with an extra layer of confusion. As of this morning (February 4, 2025), while some portions of the portal Ecology uses

to access its federal funds indicated that only certain grants remained frozen, Ecology cannot access *any* of the 13 active federal grants administered by EPA.

42. Thus, Ecology currently remains unable to access disbursed federal funds despite this Court's direct order.

43. The frozen and disrupted funds support many critical and time-sensitive activities. To return to the examples discussed above—which again are far from the only examples—this includes funds appropriated for the Revolving Fund and Emerging Contaminants Grant, Climate Resilient Riparian Systems Grant, Columbia River Toxics Reduction Grant, State and Tribal Response Program, and the Clean Heavy-Duty Vehicle Grant. As described below, loss of this funding—even on a temporary basis—results in real harms to Washington's residents and its environment.

Revolving Fund and Emerging Contaminants Grant

44. To start, Ecology has spent approximately \$5.1 million of \$5.3 million Emerging Contaminants Grant appropriated for the Revolving Fund in the 2022-2023 fiscal year. This money was awarded to Seattle Public Utilities for work on the South Thornton Natural Drainage System. The remaining \$200,000 are now inaccessible.

45. Ecology has not yet spent any of the nearly \$3.7 million appropriated for the 2024 fiscal year, all of which has been awarded to SPU for work on the North Thornton Natural Drainage System. Without this money, which has been disbursed to Ecology but is now frozen, this work will either must be put on hold or funded through other mechanisms. In the meantime, significant contamination will enter the Thornton Creek watershed without the benefit of bio-retention cells, increasing the risk of harm to salmon, street flooding, and harm to human health.

46. To be clear, the disruption caused to funding is not limited to future funding. In the case of the Emerging Contaminants Grant, SPU has already placed a payment request for the final \$200,000 allocated to it in the 2022-2023 fiscal year. But that request is on hold while Ecology determines whether it can draw those funds from the grant administered by EPA. This forces SPU to seek other funding sources to cover costs. The uncertainty of the freeze's duration or

permanence means there is lingering uncertainty over whether the remaining funds will ever become available.

47. Nor is the chaos caused by the disruption limited to projects directly funded by the IRA and IIJA. As explained, the Revolving Fund also supports a wide range of other water quality and public health projects. Thus, each year, Ecology develops a water quality funding offer list that reflects the State's most important infrastructure and activity needs. The list includes projects and funding packages that assist small, financially disadvantaged communities with the repair and update of their clean water infrastructure. The list is provided to the State legislature to inform their state biennial budget. This year, the funding disruptions coincided with the start of the State's legislative session leaving Ecology, the legislature, and project proponents uncertain about what projects would receive funding.

48. The federal funding disruptions to the Revolving Fund have created uncertainty around how much of its water quality funding offer list Ecology can fund (and in what way). If there is a significant reduction in funding, Ecology will have to redirect available funds and may postpone publication of the offer list, creating uncertainty for communities seeking that funding. Ecology, and the State legislature, will have to make difficult decisions against an evolving backdrop of uncertainty, confusion, and fear over the status of federal funding. In other words, critical water quality infrastructure needs—even those not directly funded by the IRA and IIJA—may go unaddressed because of these attempts to freeze and rescind appropriated funds for other projects.

Resilient Riparian Systems Grant

49. Similar impacts have been felt in Ecology's Climate Resilient Riparian Systems Grant. Of the \$30 million awarded for this project, only \$20 million has been disbursed and only \$700,000—just 2%—has been spent. Thus, as of February 4, 2025, some \$19 million of disbursed funds are frozen, and the fate of \$10 million in appropriated funds remains uncertain.

50. To obtain this federal funding, the State was required to fully match the federal funding. The State has already provided this \$30 million.

51. As explained, 94% of this grant is intended to pass through Ecology, directly to communities. In fact, Ecology has already received over \$30 million in the first round of grant solicitations alone and (before the freeze) expected to announce a funding list next month, with \$9 million in offers to communities. Ecology also supports five full-time employees and entered into \$8 million worth of contracts as part of implementing this grant.

52. Looking forward, Ecology also submitted an amendment request in November seeking to add a seventh year to the agreement. This request was not processed before the freeze.

53. All of Ecology's work on this program is jeopardized by attempts to freeze or rescind funding. If the \$19 million in frozen funds—which were already disbursed—remains unavailable, Ecology will lose funding for five full-time employees and need to withdraw from agreements with important community partners.

54. Even more immediately, if funding remains frozen, Ecology will have to hold its award list for the current round of pass-through funding, preventing communities from receiving \$9 million for projects.

Columbia River Toxics Reduction Grant

55. Next, disruptions to IRA and IJA funding are having serious impacts on the Toxics Reduction Grant. Of the nearly \$7 million awarded to that project, just over \$5.3 million has been disbursed. Only \$56,000 has been spent. Thus, 99% of the funding for this project is at risk, and nearly a quarter of it may never become available.

56. This grant supports 2.6 full-time employees and was intended to provide a competitive grant program for toxics reduction, long-term strategic planning for a toxics reduction strategy, a toxics inventory, and technical assistance directly for communities in the Columbia River Basin. All of this is jeopardized by the disruptions to funding.

57. Some of these disruptions have already been felt. For example, Ecology was recently asked to provide an in-person training about toxics monitoring for the Upper Columbia United Tribes, who also received a toxics reduction grant. Ecology's grant proposal included a provision that the Department would provide other grant recipients with technical assistance and

emphasized partnering with tribes. However, because monitoring training is not expressly stated as a part of the grant, Ecology would normally seek guidance and approval from EPA before using its funds on this effort.

58. The disruptions to funding have prevented Ecology from communicating with EPA on this issue and, ultimately, prevented Ecology from providing this important training to its tribal partners.

State & Tribal Response Program

59. The disruptions to funding have also disrupted Ecology's work on the State & Tribal Response Program. Of the \$5 million awarded to that program, less than half has been disbursed. Only 17%—about \$830,000—has been spent. Thus, some \$4 million in funds intended to go toward the assessment and cleanup of contaminated sites has been jeopardized.

60. In particular, the funds are intended to support three full-time employees, site investigations, and clean-up activities at contaminated "brownfield" sites. Ecology has already entered into contracts for this work and planned to enter into property transactions and clean-up actions based on the work funded by this program.

61. The disruptions to funding have caused confusion, fear, and uncertainty among the staff and communities involved in this program. Contracted work is being held up, which in turn impacts downstream transactions and clean-up activities.

Clean Heavy-Duty Vehicle Grant

62. Finally, immediate and disruptive impacts have been felt by the Clean Heavy-Duty Vehicles Program. Just three weeks ago, Ecology was awarded nearly \$3.9 million for this program. This award is now frozen in its entirety.

63. Ecology had already communicated preliminary awards to four school districts. Grants were not yet signed and in place, but draft agreements were ready for the districts' review.


64. Without federal funding supplementing the state's funding for this program, there is a risk these projects will not move forward. School districts operate on very tight budgets, and Ecology does not have additional funding to replace any lost federal funding.

65. Moreover, uncertainty related to funding may affect Ecology's relationship with school districts and potential interest in future rounds of funding.

66. The aforementioned impacts are only a portion of the disruptions Ecology, and its partners, have experienced as a result of the funding freeze and continued attempts to interfere with funds appropriated under the IRA and IJA.

I declare under penalty of perjury under the laws of the State of Washington and the United States of America that the foregoing is true and correct.

Executed this 4th day of February 2025, in Lacey, Washington


HEATHER R. BARTLETT
Deputy Director
Washington State Department of Ecology